

**AMENDMENT OFFERED** By Mr Markey  
**TO THE AMENDMENT OFFERED BY MR. GILLMOR**  
*To The Substitute Amendment by Mr. MARKEY.*  
**[Opt-In for Third Party Transfers]**

In section 501 of the Amendment, ~~strike~~ <sup>insert after</sup> subsection  
(b) ~~and~~ insert the following:

- 1           <sup>C</sup>  
2           ~~(b)~~ OPT-IS REQUIRED FOR SALES TO THIRD PAR-  
3 TIES. -The Commission shall by rule prohibit a financial  
4 institution from making available, for any consideration,  
5 nonpublic personal information any person that is not an  
6 affiliate of the institution, or an employee or agent of the  
7 institution or the affiliate unless the consumer to whom  
8           (1) is requested in accordance with such rule to  
9           consent to the transfer of such information; and  
10           (2) grants such consent, and does not later  
11           withdraw such consent.